

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GRAN SABANA CORPORATION N.V.,	:
	:
Plaintiff,	:
	:
vs.	:
	:
MITCHELL H. KOSSOFF,	:
	:
Defendant.	:
	:
----- X	

21 Civ. 03154 (RA)

**~~PROPOSED~~ ORDER AND
AGREED JUDGMENT**

1. Defendant Mitchell H. Kossoff (“Defendant”) specifically submits to the personal and subject matter jurisdiction of this Court and hereby forever and completely waives any and all defenses which he might possess of any kind or nature to the relief requested by Plaintiff Gran Sabana Corporation N.V. (“Plaintiff”) (collectively, with Defendant, the “Parties”) within its Complaint filed herein. However, this waiver is without prejudice to asserting the waived defenses in other proceedings affecting Defendant or Kossoff PLLC and/or their predecessors and/or successors-in-interest.

2. Judgment is hereby entered against Defendant in full settlement of any and all claims that Plaintiff has against Defendant including the causes of action set forth in the Complaint.

3. In order to minimize further damages and inconvenience to Plaintiff, Defendant hereby consents to the entry of a money judgment as follows:

- a. Damages in the amount of \$4,478,784.24, which amount represents those monies due and owing to Plaintiff in accordance with its Complaint (the “Funds”).
- b. Pre-judgment interest as to the Funds, calculated at 9% interest beginning on April 7, 2021, to be determined by the Clerk of Court.
- c. Post-judgment interest as allowed under the law.
- d. Attorneys’ fees in the amount of \$115,000.

4. Any other funds received from Kossoff and/or Kossoff PLLC of any nature and for any reason shall be applied to reduce the judgment issued in this proceeding. Specifically, Plaintiff shall apply any recovery from the following sources to this judgment:

- a. Distributions received from the bankrupt estate of Kossoff PLLC in the United States Bankruptcy Court for the Southern District of New York, styled *In the Matter of Kossoff PLLC*, Case No. 21-10699 (DSJ) (S.D.N.Y. Bankr., filed Apr. 13, 2021);
- b. The judgment entered following Defendant's criminal conviction in the Supreme Court of the State of New York, New York County, styled *The People of the State of New York v. Mitchell Kossoff*, Docket No. CR-028944-21 NY (Sup. Ct. N.Y. Cty.); or
- c. The New York Lawyers' Fund for Client Protection.

5. To the extent funds are received, Plaintiff will notify Walter Mack of receipt of those funds.

6. Plaintiff shall not require Defendant in any proceeding to enforce the within judgment to be either temporarily or permanently moved from Groveland CF or any other successor prison unless Kossoff is acting in bad faith.

7. Defendant is permanently enjoined from moving any funds in his possession which were removed from Plaintiff's Kossoff PLLC escrow account including those escrow funds belonging to Plaintiff in any bank account controlled by Defendant and upon the issuance of this Order the balance of the preliminary injunctive relief awarded to Plaintiff during the pendency of this proceeding is hereby dissolved and of no further force and effect.

8. Finally, it is agreed between the Parties that this Court shall retain jurisdiction to enforce the agreed judgment.

The Clerk of Court is respectfully directed to terminate the motions pending at Dockets 36 and 58 and close this case.

Dated: August 26, 2022

New York, New York



THE HONORABLE RONNIE ABRAMS
UNITED STATES DISTRICT JUDGE